UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,895	10/16/2003	Hirofumi Onishi	ALPINE.036AUS	7531

7590 06/29/2006

MURAMATSU & ASSOCIATES
114 Pacifica
Suite 310
Irvine, CA 92618

EXAMINER	
MANCHO, RONNIE M	

ART UNIT	PAPER NUMBER
3663	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/686,895	ONISHI H.	
	Examiner	Art Unit	
	Ronnie Mancho	3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 April 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the applicant has added the new matter "if a particular point of interest is located within a large structure". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In independent claims 1, 7, and 13 contain added new matter that was not in the original disclosure. That is the claims have been amended to include the new matter "if a particular point of interest is located within a large structure, the list includes the icon representing the type of the large structure *next to the name of the particular point of interest*". The term, "if" is a conditional statement that requires the fulfillment of certain conditions.

There is no support or suggestion in the original disclosure for the term "next to". It appears to be new matter.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1, 7, 13, it is not clear what all is meant and encompassed by "the type of the large structure"; "next to". It is not clear how large is large, etc. It is suggested that the applicant delete the phrase "a type of ", "the type of" to clarify the scope of the claims. These terms are really not relevant in the claim limitations as they only help to confuse the scope of the claims. The term "next to" cannot be ascertained because "next" in the context of the claims does not disclose how close or separated the claimed items are supposed to be.

In claim 3, 4, etc, it is not clear what all is meant and encompassed by the phrase "a large structure".

The rest of the claims are rejected for depending on a rejected base claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyaki (US 2002/0130906).

Regarding claim 1, Miyaki (abstract, figs. 8-12A&B) discloses a display method for a navigation system, comprising the steps of:

receiving map data from a map data storage (14, fig. 1) and retrieves information on points of interest (POI 15, fig. 1) specified by a user;

examining whether the point of interest in the retrieved information is located within a large structure (polygon, 12A&B; figs. 11, sections 0055-0058);

retrieving an icon representing a type of the large structure (polygon, 12A&B; figs. 11, sections 0055-0058) in which the point of interest is located; and

displaying for displaying a list of names of points of interest specified by the user (27, fig. 1);

wherein, if a point of interest is located within a large structure, the list includes the icon representing the type of large structure next to the name of the point of interest

Regarding claim 2, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display method for a navigation system as defined in claim 1, wherein said step of examining whether the point of interest is located within a large structure includes a step of checking point coordinate data in the map data representing a location of the point of interest and polygon data (polygon, 12A&B; figs. 11, sections 0055-0058) in the map data representing an area of a land or a structure to see whether or not the location of the point of interest is included within the area of the land or structure.

Note! The dictionary meaning of "adjacent" does not mean connected to or directly beside. Reference is made to applicant's figs. 12A&B of the prior art.

Regarding claim 3, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display method for a navigation system as defined in claim 1, wherein said step of examining whether the point of interest is located within a large structure includes a step of comparing point coordinate data in the map data representing a location of the point of interest and polygon data in the map data representing an area of a land or a structure, and a step of determining whether or not the location of the point of interest is within a boundary of the large structure defined by the polygon data.

Regarding claim 4, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display method for a navigation system as defined in claim 1, further comprising the step of: displaying detailed information on the large structure when the user specifies the icon representing the type of large structure.

Regarding claim 5, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display method for a navigation system as defined in claim 4, wherein said detailed information on the large structure displayed on the navigation system includes a name and an address of the large structure.

Regarding claim 6, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display method for a navigation system as defined in claim 4, wherein said step of displaying the detailed information on the large structure includes a step of producing a pop-up screen showing the detailed information on the monitor screen.

Regarding claim 7, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses a display apparatus for a navigation system, comprising:

means for selecting a method for searching point of interest information;

a map data storage 14 which stores map data including point of interest information and large structure information;

a point of interest display control unit (26, 27) which examines the map data from the map data storage and determines whether a point of interest is located within a large structure;

a memory 15 which stores icons where each icon represents a type of large structure expressed by the large structure information in the map data; and a monitor which displays information associated with the navigation system including a list of points of interest,

wherein said point of interest display control unit controls said monitor to display a list of names of points of interest specified by the user (27, fig. 1), and if a point of interest is located within a large structure, the list includes the icon representing the type of large structure next to the name of the point of interest, thereby enabling the user to see whether or not a particular point of interest is located within a large structure (figs. 12A&B; figs. 11, sections 0055-0058).

Regarding claim 8, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 7, wherein said point of interest display control unit checks point coordinate data in the map data representing a location of the point of interest and polygon data in the map data representing an area of a land or a structure to see whether or not the location of the point of interest is included within the area of the land or structure.

Regarding claim 9, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 7, wherein said point of interest display control unit compares point coordinate data in the map data representing a location of the point of interest and polygon data in the map data representing an area of a land

or a structure, and determines whether or not the location of the point of interest is within a boundary of the large structure defined by the polygon data.

Regarding claim 10, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 7, wherein said point of interest display control unit causes said monitor to display detailed information on the large structure when the user specifies the icon representing the type of large structure.

Regarding claim 11, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 10, wherein said detailed information on the large structure displayed on the navigation system includes a name and an address of the large structure.

Regarding claim 12, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 10, wherein said point of interest display control unit causes said monitor to display a pop-up screen showing the detailed information on said large structure.

Regarding claim 13, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system, comprising:

means for receiving map data from a map data storage and retrieving information on points of interest specified by a user;

means for examining whether or not the point of interest in the retrieved information is located within a large structure;

means for retrieving an icon representing a type of the large structure in which the point of interest is located; and

means for displaying a list of names of points of interest specified by the user (27, fig. 1);

wherein, if a point of interest is located within a large structure, the list includes the icon representing the type of large structure adjacent to the name of the point of interest.

Regarding claim 14, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 13, wherein said means for examining whether the point of interest is located within a large structure includes means for checking point coordinate data in the map data representing a location of the point of interest and polygon data in the map data representing an area of a land or a structure to see whether or not the location of the point of interest is included within the area of the land or structure.

Regarding claim 15, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 13, wherein said means for examining whether the point of interest is located within a large structure includes a step of comparing point coordinate data in the map data representing a location of the point of interest and polygon data in the map data representing an area of a land or a structure, and means for determining whether or not the location of the point of interest is within a boundary of the large structure defined by the polygon data.

Regarding claim 16, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 13, further comprising means for displaying detailed information on the large structure when the user specifies the icon representing the type of large structure.

Regarding claim 17, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 16, wherein said detailed information on the large structure displayed on the navigation system includes a name and an address of the large structure.

Regarding claim 18, Miyaki (abstract, figs. 8-12A&B; figs. 11, sections 0055-0058) discloses the display apparatus for a navigation system as defined in claim 16, wherein said means for displaying the detailed information on the large structure includes means for producing a pop-up screen showing the detailed information on the monitor screen.

Response to Arguments

8. Applicant's arguments filed 2/2/06 have been fully considered but they are not persuasive.

The applicant's argues that the new matter cited above is disclosed in the specification. The examiner notes that the term "when a particular POI is located within the large structure" is disclosed, but it is not disclosed in context or conjunction with the other statement as it is written in the statement "if a particular point of interest is located within a large structure, *the list includes the icon representing the type of the large structure next to the name of the particular point of interest*". There is no "list" to satisfy the condition required by term "if" disclosed in the original disclosure.

It is true that "adjacent" and "next" are similar terms with respect to applicant's arguments thereof, but the terms are indefinite as recited in the claims. That is how next is next or how adjacent is adjacent ?

The applicant further argues that in the present invention, "Icons of points of interest *are not* displayed on the navigation system, but only the icon of the large structure is displayed *ONLY if* a point of interest is located within the large structure". These limitations are not part of the original disclosure. In addition as already mentioned above the terms, "next", "large" are indefinite. In the prior art, figs. 8-12 show a list of icons representing large structures, wherein a large structure is next to the name of a POI.

It is believed that the rejections are proper and thus stand.

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571/272/6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronnie Mancho

Examiner
Art Unit 3663

6/26/06